

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIABILLY DEAN PATTON,
Petitioner,

v.

STIRLING PRICE,
Respondent.

Case No. 22-cv-5336 BLF (PR)

ORDER OF TRANSFER


Petitioner, who is housed at the Atascadero State Hospital (“ASH”) in Atascadero, California, filed a letter which was construed as an attempt to file a civil action. Dkt. No. 1. Because this action was categorized as a mandamus action, Petitioner was directed to file a formal petition. Dkt. No. 2. Petitioner filed a “complaint for a civil case” on October 11, 2022. Dkt. No. 6. Petitioner seeks injunctive relief in the form of a transfer from ASH to another hospital due to alleged threats by ASH staff. *Id.* Accordingly, it appears that Petitioner is seeking to file a civil action pursuant to 42 U.S.C. § 1983.

Because the acts complained of occurred in San Luis Obispo County, which lies within the venue of the Western Division for the Central District of California, *see* 28 U.S.C. § 84(c), venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Central District of California. *See* 28 U.S.C. § 1406(a).

1 The Clerk shall terminate all pending motions and transfer the entire file to the
2 Western Division for the Central District of California.

3
4 **IT IS SO ORDERED.**

5 **Dated: __October 27, 2022__**


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California